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Petaluma, California 94954
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Attorneys for Plaintiff
PATRICIA GEIB

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

PATRICIA GEIB,

Plaintiff,

v.

COUNTY OF MARIN; MARIN COUNTY
SHERIFF'S DEPARTMENT; KEN CANZIANI,
and DOES 1 through 50,
Defendants.

Case No.: USDC 08-CV00346 TEH

**STIPULATION AND PROPOSED ORDER
EXTENDING CASE MANAGEMENT
CONFERENCE AND DEADLINE TO
SERVE INITIAL DISCLOSURES**

IT IS HEREBY STIPULATED by and between the parties to extend the Case Management Conference to May 12, 2008. The parties have also agreed to extend the time for exchanging Initial Disclosures to May 7, 2008.

There is good cause for the stipulation to extend time as follows:

- **Substitution of Attorneys:** Defendant Canziani is presently represented by the Marin County Counsel's office. However, defendant Canziani is in the process of retaining independent defense counsel to represent him in this matter, including the preparation

1 and filing of a substitution of attorneys. The parties anticipate that such a substitution will
2 be filed within the next two weeks. Accordingly, this additional time is necessary for
3 defendant Canziani's new attorneys to make an appearance in this action, and meet and
4 confer regarding discovery, initial disclosures, and other required matters prior to the
5 Case Management Conference;

- 6 • Unavailability of Lead Trial Counsel: Furthermore, good cause exists to extend these
7 deadlines as the lead trial counsel for defendant County of Marin has a pre-scheduled
8 vacation on the date of the Case Management Conference, and, as a result, will be unable
9 to attend the hearing. The parties agree that lead trial counsel participation is necessary
10 to conduct a productive Case Management Conference;
- 11 • Dismissal of Defendant Marin County Sheriff's Department: Good cause further exists in
12 that the parties are presently meeting and conferring regarding the dismissal of defendant
13 Marin County Sheriff's Department, including a stipulation that defendant County of
14 Marin (as opposed to defendant Sheriff's Department) was the "employer" of plaintiff for
15 purposes of this action. The parties anticipate that they will reach such a stipulation by
16 May 1, 2008;
- 17 • Judicial Economy: The parties are not making this request for any improper purpose,
18 including undue delay. Instead, the parties agree that judicial economy will be served if
19 this request is granted. In particular, in light of the imminent substitution of attorneys,
20 any further meet and confer regarding initial disclosures and a discovery plan would likely
21 be premature, and, as such, the presently scheduled Case Management Conference will
22 likely be unproductive. Likewise, judicial economy will be served through a stipulation to
23 dismiss defendant Sheriff's Department. Once a stipulation is reached, the parties will not
24 have to burden the Court's time, or the parties' attorney's fees and costs, in conducting
25 discovery and preparing motions pertaining to which entity is the appropriate "employer"
26 for purposes of this litigation.

27 ///

28 ///

1
2 **SO STIPULATED.**

3
4 **Dated:** _____

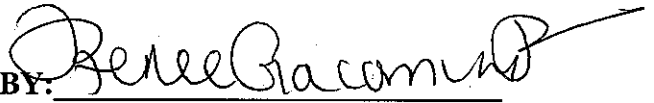
KAHN, BROWN & POORE

5
6 **BY:** _____

7 **DAVID POORE**
8 **Attorney for Plaintiff**

9
10 **Dated: April 11, 2008**

PATRICK K. FAULKNER
MARIN COUNTY COUNSEL

11
12 **BY:** 

13 **RENEE GIACOMINI BREWER**
14 **Attorney for Defendant County of Marin**

15
16
17 **PROPOSED ORDER**

18
19 **THE COURT HEREBY ORDERS AS FOLLOWS:**

20 **The parties' request to extend the time for Case Management conference to May 12, 2008, is**
21 **Granted. The parties' request to extend time for initial disclosures to May 7, 2008 is Granted.**

22 **DATED:** _____

23
24 **JUDGE THELTON E. HENDERSON**

SO STIPULATED.

Dated: 4/11/2008

KAHN, BROWN & POORE

BY: David M Poore / SP
DAVID POORE
Attorney for Plaintiff

Dated: April 11, 2008

PATRICK K. FAULKNER
MARIN COUNTY COUNSEL

BY: *Renee Giacomini*
RENEE GIACOMINI BREWER
Attorney for Defendant County of Marin

PROPOSED ORDER

THE COURT HEREBY ORDERS AS FOLLOWS:

The parties' request to extend the time for Case Management conference to May 12, 2008, is Granted. The parties' request to extend time for initial disclosures to May 7, 2008⁷ is Granted.

DATED: _____

JUDGE THELTON E. HENDERSON

PROOF OF SERVICE

I am a resident of the State of California, over the age of eighteen years, and not a party to the within action. My business address is County Counsel of Marin County, Suite 275, Civic Center, San Rafael, CA 94903. On April 14, 2008, I served the within documents:

**STIPULATION AND PROPOSED ORDER EXTENDING CASE MANAGEMENT
CONFERENCE AND DEADLINE TO SERVE INITIAL DISCLOSURES**

- ☐ by transmitting via facsimile the document(s) listed above to the fax number(s) set forth below on this date before 5:00 p.m.
- ☒ by placing the document(s) listed above in a sealed envelope for collection and mailing on that date following ordinary business practices. I am readily familiar with the County's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U. S. postal service on that same day with postage thereon fully prepaid in the ordinary course of business.
- ☐ by placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, in the United States mail at San Rafael, California addressed as set forth below.
- ☐ by causing personal delivery by _____ of the document(s) listed above to the person(s) at the address(es) set forth below.
- ☐ by personally delivering the document(s) listed above to the person(s) at the address(es) set forth below.
- by overnight delivery to an overnight delivery carrier with delivery fees provided for, addressed to the person(s) set forth below.

David M. Poore
Kahn, Brown & Poore
755 Baywood Drive, Suite 185
Petaluma, CA 94954

☐ I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on April 14, 2008, at San Rafael, California.

Amber Dooley